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Gavin Peacock

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EXAMINER

NGUYEN, QUANG N

ART UNIT

PAPER NUMBER

2141

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DELIVERY MODE

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/598,668		PEACOCK, GAVIN	
	<b>Examiner</b>		<b>Art Unit</b>	
	Quang N. Nguyen		2141	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Detailed Action***

1. This Office Action is responsive to the Request for Continued Examination (RCE) filed on 10/15/2007. Claims 1, 8 and 15 have been amended. Claims 1-21 remain pending for examination.

***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/15/2007 has been entered.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2 and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston et al. (US 6,101,531), hereinafter “Eggleston”, in view of Joseph (US 6,038,603), and further in view of Schwartz et al. (US 6,473,609), hereinafter “Schwartz”.

5. As to claim 1, **Eggleston** teaches a method of transferring data from a handheld device comprising the steps of:

a) forwarding information from an application on said handheld device to an exchange manager on said handheld device (forwarding information from an application (such as forwarding a URL request from a browser application) on the mobile end computer system 201 to a data transfer manager or exchange unit 206 on said mobile end computer system 201), said exchange manager configured for converting said information to a stream file (since the data transfer manager or exchange unit 206 communicates/exchanges information with the communication server 220 by messages of any appropriate data unit (such as frame, **datastream**, packet, or other format), including objects, datagrams, etc., for containing information being communicated, said data transfer manager or exchange unit 206 must have formatted/converted said information to the appropriate data unit such as datastream to communicate with the communication server 220) (**Eggleston, Fig. 2 and col. 5, line 23 – col. 6, line 7**);

b) in response to said information, said exchange manager referencing an exchange library from a plurality of exchange libraries, wherein said exchange library defines a communication protocol for said identified transport mechanism and wherein

said exchange manager supports a plurality of communication protocols (the data exchange unit 206 referencing/accessing data encoder/decoder 203 to accommodate, i.e., to support, the system communications protocols and a transceiver/modem 202 to connect to a wireless or wireline communications network) (**Eggleston, Fig. 2 and col. 5, lines 23-48**); and

c) communicating said information to a system as a stream file identifiable by an application on a device external to said handheld device, identified by said destination, that is external to said handheld device using said communication protocol (via the data encoder/decoder 203 and the transceiver 202, the data transfer manager or exchange unit 206 communicates/exchanges said information with the communication server 220, VMS 230, local email post office 240, remote client-server host 255, and/or administrator host server 260, etc., identified by the destination address that is external to the mobile end device 201, by messages of any appropriate data unit such as frame, datastream, etc.) said application on said device external to said handheld device performing any necessary format conversion on said stream file (for example, said browser application on the remote client-server host 255 is capable of performing any necessary format conversion on said stream file for displaying an HTML file as a web page on the display monitor, playing audio/video stream file to the speaker/monitor screen) (**Eggleston, Fig. 2 and col. 5, line 23 – col. 6, line 7**).

**Eggleston** does not explicitly teach said information having associated therewith a Uniform Resource Locator (URL) containing an identified transport mechanism for transmitting said information and also a destination for said information.

In an analogous art, **Joseph** teaches resources maybe uniquely identified through the use of a uniform resource locator ("*URL*"), wherein a URL string (*http://Server A/File Store/File*) containing an identified transport mechanism (*http://*) and a destination (*Server A*) that a browser application uses to make a request directed to Server A in accordance with the "http" protocol (**Joseph, Fig. 2C and col. 2, lines 20-64**).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to incorporate the feature of said information having associated therewith a Uniform Resource Locator (URL) containing an identified transport mechanism for transmitting said information and also a destination for said information, as disclosed by **Joseph**, into the teachings of **Eggleston** to allow a client via the browser uniquely identifying a desired resource by URL (*for example, "http://Server A/File Store/File"*), which indicates a destination server on which the resource is located, the filename, i.e., the location of the resource and the appropriate protocol (i.e., "http") to be used in retrieving the desired resource (**Joseph, col. 1, line 62 – col. 2, line 8**).

However, **Eggleston-Joseph** does not explicitly teach said stream file having a data file and a data type, said data type unidentifiable to said device external to said handheld device.

In the same field of endeavor, **Schwartz** teaches a method and system for allowing mobile devices to interact effectively with the Internet, wherein generally, a computing device equipped with an HTML browser/server using HTTP requiring

considerable computing power and network bandwidth resources while mobile/handheld devices typically do not have the computing resources to implement HTTP to run and HTML browser (**Schwartz, col. 6, lines 36-64**). In addition, **Schwartz** teaches transmission of a smaller data file is important in wireless data networks that are characterized with low bandwidth and expensive airtime. In other words, the actual data being exchanged between link server (external host device) and mobile device is in Screen Description Data (SDD) format, which is typically binary and can be communicated more compactly and efficiently in wireless network (*i.e., wherein SDD format is unidentifiable to said device external to said handheld device*) (**Schwartz, col. 9, line 29 – col. 10, line 35**).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the feature of stream file having a data file and a data type such as SDD format unidentifiable to said device external to said handheld device, as disclosed by **Schwartz**, into the teachings of **Eggleston-Joseph** to allow mobile devices to interact effectively with the Internet and/or other network devices despite the common deficiencies of mobile devices (**Schwartz, Abstract and col. 2, lines 30-49**).

6. As to claim 2, **Eggleston-Joseph-Schwartz** teaches the method of claim 1, wherein the mobile device is a palmtop computer system comprising: a processor coupled to a bus; a memory unit coupled to said bus; a screen coupled to said bus; and a plurality of transport mechanisms (*a palmtop/handheld computer inherently comprises*

*a processor, a memory unit, a screen coupled to a bus and a plurality of transport mechanisms).*

7. Claims 8-9 are corresponding system claims of method claims 1-2; therefore, they are rejected under the same rationale.

8. **Claims 3-7 and 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston-Joseph-Schwartz, further in view of Bodnar et al. (US 6,295,541), hereinafter “Bodnar”.**

9. As to claims 3-4, **Eggleston-Joseph-Schwartz** teaches the method of claim 1, wherein the data transfer manager or exchange unit 206 accommodates data transfer over a wide variety of networks via data encoder/decoder 203 using various communications protocols including radio frequency (rf) or infrared protocol or proprietary wireless carrier protocols (**Eggleston, col. 5, lines 30-42**), but does not explicitly teach said plurality of communications protocols comprising an email protocol and a synchronization protocol.

In the related art, **Bodnar** teaches a palmtop computer capable of synchronization, infrared, radio frequency or wireless communications, and email communications (**Bodnar, Fig. 2 and col. 10, lines 42-53**).



Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of **Eggleston-Joseph-Schwartz** and **Bodnar** to include email, infrared, radio frequency and synchronization protocols in said communications protocols since all references are directed to communicating information over a communications network, hence, would be considered to be analogous based on their related fields of endeavor.

One would be motivated to do so to provide additional options (*i.e., additional protocols or transport mechanisms*) for communicating/synchronizing data between a broad range of networks and devices (**Bodnar, Fig. 2 and col. 10, lines 42-53**).

10. As to claim 5, **Eggleston-Joseph-Schwartz-Bodnar** teaches the method of claim 1, wherein said information is a data file (*"datasets" of Bodnar and "File" 126 from Fig. 2C of Joseph*).

11. As to claim 6, **Eggleston-Joseph-Schwartz-Bodnar** teaches the method of claim 1, wherein said information is an application program (*"Official Notice" is taken as a "File" from Fig. 2C of Joseph and "datasets" of Bodnar might well be an application program*).

12. As to claim 7, **Eggleston-Joseph-Schwartz-Bodnar** teaches the method of claim 1, but does not explicitly teach prompting the user for any unspecified criteria such as protocol to use or/and destination of the desired resource.

"Official Notice" is taken that both the concept and advantages of a system prompting a user for unspecified criteria are well known and expected in the art (*Examiner respectfully submits that it is obvious to one of ordinary skill in the art that the browser application has a text box "**Address**" for the user to enter the URL for the desired resource/destination, such as "http://Server A/File Store/File"*).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to prompt the user for unspecified criteria such as protocol to use or/and destination of the desired resource since such methods were conventionally employed in the art to ensure the data is manipulated into the recognizable format before sending out to the receiving device using the compatible protocol.

13. Claims 10-14 are corresponding system claims of method claims 3-7; therefore, they are rejected under the same rationale.

**14. Claims 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eggleston-Joseph-Schwartz-Bodnar, further in view of Skarbo et al. (US 6,317,777), hereinafter "Skarbo".**

15. As to claim 15, **Eggleston-Joseph-Schwartz-Bodnar** teaches the method for requesting and receiving data over the Internet by a mobile device as in claim 1,

including the step of creating a separate instance of the GUD records for every data type, or every mapping of records files (i.e., creating a record/file indicating a data type of a file) (Bodnar, col. 39, lines 25-29), but does not explicitly teach the storing said file in memory and associating said file with a data set associated with said application.

In the related art, **Skarbo** teaches a method for web-based storage and retrieval of documents/files comprising the step of storing the document onto local disk storage 354, and accessing a document registry 358 stored within a system registry to identify an associated application for the document (Skarbo, col. 10, lines 46-56).

Therefore, it would have been obvious to one having ordinary skills in the art at the time the invention was made to combine the teachings of **Eggleston-Joseph-Schwartz-Bodnar** and **Skarbo** to store said document/file in memory and associating said document/file with a data set associated with said application since all references are directed to communicating information over a communications network, hence, would be considered to be analogous based on their related fields of endeavor.

One would be motivated to do so to allow the system to be flexible to accommodate and access data transfer from a data origination device over a wide variety of networks to a wide variety of destination devices using various communications protocols with different data formats/types in order to reliably get conferencing data to conference participants, while utilizing standard registered applications (**Skarbo, col. 1, lines 47-49 and col. 10, line 46 – col. 11, line 7).**

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16. Claims 16-21 are corresponding receiving method claims of transferring method claims 2-7; therefore, they are rejected under the same rationale.

### ***Response to Arguments***

17. Applicant's arguments as well as request for reconsideration filed on 10/15/2007 have been fully considered but they are moot in view of the new ground(s) of rejection.

18. Further references of interest are cited on Form PTO-892, which is an attachment to this Office Action.

19. A shortened statutory period for reply to this action is set to expire THREE (3) months from the mailing date of this communication. See 37 CFR 1.134.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (571) 272-3886.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's SPE, Rupal Dharia, can be reached at (571) 272-3880. The fax phone number for the organization is (571) 273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quang N. Nguyen/  
Primary Examiner, Art Unit 2141